



County of San Diego

DEPARTMENT OF PARKS AND RECREATION

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MITIGATED NEGATIVE DECLARATION

July 26, 2012

Project Name: Flume Trail

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
 - b. Environmental Analysis Form and attached extended studies for Biological Resources (including a Jurisdictional Delineation Report) and Cultural Resources
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.



2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. Biological Resources

1. Mitigation for unavoidable direct effects to habitat occupied by sensitive species as a result of loss of habitat will be mitigated according to ratios outlined in the County of San Diego Biological Mitigation Ordinance. Direct effects of the project (project alternative) will be compensated at a ratio of 1.5:1 for impacts to 1.78 (1.76) acres of Diegan coastal sage scrub, 1:1 for impacts to 0.91 (0.93) acre of southern mixed chaparral, and 0.5:1 for impacts to 0.30 (0.30) acre of nonnative grassland. Impacts for the proposed project (project alternative) will be mitigated within a BRCA of the MSCP through the purchase of 2.67 (2.64) acres of Tier II or higher habitat and 1.06 (1.08) acres of Tier III or higher habitat mitigation credits within an approved mitigation bank or preservation of habitat in accordance with Board Policy I-138.
2. Conduct pre-construction training for construction crews to inform them of sensitive species that occur or have potential to occur along the proposed trail.
3. Brushing, clearing, and/or grading will not occur within 300 feet of suitable habitat, including coastal sage scrub habitat, during the breeding season of the California gnatcatcher (March 1 - August 15). This condition can be waived if surveys described below determine that no active nests occur on-site.
 - a. Within one week of commencement of clearing or activities associated with project construction, a qualified biologist shall conduct a preconstruction survey for California gnatcatcher. If the biologist finds any evidence of an active nest, the biologist shall (a) notify the County, and (b) clearing or construction activities will not occur until after the breeding season.
4. Brushing, clearing, and/or grading will not occur within 500 feet of suitable habitat, including coast live oak woodland and non-native grassland habitat, during the tree-nesting raptor breeding season (January 15 to July 15) and within 800 feet of suitable habitat during the ground-nesting raptors (February 1 – July 31). This condition can be waived if surveys described below determine that no active nests occur on-site.
 - a. Within one week of commencement of clearing or activities associated with project construction, a qualified biologist shall conduct a preconstruction survey for nesting raptors. If the biologist finds any evidence of an active nest, the biologist shall (a) notify the County, and (b) ensure that no clearing or construction activities occur within 500 feet (800 feet for ground-nesting raptors) of an active nest.

B. Cultural Resources

1. Prior to construction, DPR will relocate and place temporary fencing around all identified historical resources (elements of CA-SDI-11296H) within the project area for avoidance except for the benchcut (ICF-FT-17), and confirm in the field that the trail alignment avoids these resources.
 2. Prior to trail construction a professional archaeologist will provide cultural resources sensitivity training to construction personnel. Training will address both the types of resources that might be identified, as well as the procedures to be followed in the event of an unanticipated discovery of cultural resources. Any resources that might be found would likely be related to the historic-period flume (CA-SDI-11296H), and would be similar in kind to those already recorded, which include modified boulders, drainage crossing features consisting of natural cobble structures, and wood and other debris. Should cultural resources be encountered during construction, work will stop in the immediate vicinity of the find until a qualified archaeologist can assess the find and provide recommendations for avoidance (preferred) or further treatment, as required. Minimally, any newly identified features related to the flume shall be added to the site record form for CA-SDI-11296H as an update.
 3. DPR shall install interpretive signage along the trail, and specifically at the tunnel entrances (ICF-FT-10 and ICF-FT-11), to inform trail users of the presence and significance of historical resources along the trail and the importance of leaving the resources undisturbed. The signage should detail the significance of the historical resources along the trail and the importance of leaving the resources undisturbed.
 4. For the project alternative, DPR will survey any portions of the trail, with a suitable buffer, that fall outside the survey area of the proposed trail. If cultural resources are identified, those resources will be avoided in trail design. Per mitigation measure 2.B.1, temporary fencing will be placed around the resources during construction.
3. Critical Project Design Elements:

The following project design elements were either proposed in the project or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

- Ongoing maintenance and monitoring of the trail will occur during implementation of the El Monte County Park RMP. DPR will ensure that trail maintenance is confined to the existing trail alignment and is conducted in such a manner as to avoid impacting biological and cultural resources within the project area. The trail will be patrolled by Park Rangers who will identify unauthorized trail use or other adverse effects associated with increased human use (e.g. trash). Such issues will be addressed through construction of fence

segments, installation of signs, or other means to prevent ongoing impacts resulting from increased human use on the site or competition from domestic animals.

Biological Resources

- Avoid impacts to County Group A and B plant species, to the extent feasible, through construction methodology. No offsite fill is allowed.

Cultural Resources

- DPR will conduct annual condition monitoring of the historical resources along the trail for signs of vandalism or other alterations, such as unauthorized deviation from the trail, and take corrective measures to rectify potential impacts. Annual inspections of historical resources along the trail will ensure that DPR has accurate information on the condition of the resources and will allow for measures to be taken if impacts have occurred or are in danger of occurring.

Hydrology and Water Quality

- The project will implement site design measures, source control, and/or treatment control BMPs to reduce potential pollutants, including sediment from erosion or siltation, to the maximum extent practicable. BMPs are required during construction activities and will include, but are not limited to, features such as stabilized construction entrance/exit areas, permeable surfaces, and silt fencing. Silt fences and fiber rolls would be specified to minimize surface transport of sediments. These measures will control erosion and sedimentation and satisfy waste discharge requirements as required by the Land-Use Planning for New Development and Redevelopment Component of the San Diego Municipal Permit (RWQCB Order No. R9-2007-0001), as implemented by the San Diego County Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP).

Air Quality

- Dust control measures will be implemented as necessary during trail and construction.

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

_____ (Decision-Making Body)

On _____ (Date/Item #)

Megan Hamilton, Group Program Manager
Department of Parks and Recreation